

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Sep 21, 2020**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

RAYMOND WETMORE-TINNEY,

Petitioner,

v.

SPOKANE COUNTY JAIL, et al.,

Respondents.

NO. 2:20-CV-00232-SAB

**ORDER DISMISSING ACTION  
WITHOUT PREJUDICE**

By Order filed August 17, 2020, the Court granted Petitioner leave to proceed *in forma pauperis* and directed him to show cause why his *pro se* Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 should not be dismissed. ECF No. 14. Petitioner initiated this action while a prisoner at Spokane County Detention Services. ECF No. 1. He was subsequently released and provided a residential address in Spokane, Washington. ECF No. 12. Respondents have not been served in this action.

The Court cautioned Petitioner that his failure to show cause would be construed as his consent to the dismissal of this action. *See* ECF No. 14 at 6. Petitioner did not comply with the Order to Show Cause and he has filed nothing further in this action.

**ORDER DISMISSING ACTION WITHOUT PREJUDICE -- 1**

1       Petitioner has presented no basis for this Court's intervention in pending  
2 state court proceedings. *Perez v. Ledesma*, 401 U.S. 82, 85 (1971). Therefore, for  
3 the reasons set forth above and in the Order to Show Cause, ECF No. 14, **IT IS**  
4 **HEREBY ORDERED** that this action is **DISMISSED WITHOUT**  
5 **PREJUDICE** for failure to exhaust state court remedies. **IT IS FURTHER**  
6 **ORDERED** all pending motions are **DENIED as moot**.

7       **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order,  
8 enter judgment, provide copies to Petitioner, and close the file. The Court certifies  
9 that, pursuant to 28 U.S.C. § 1915(a)(3), an appeal from this decision could not be  
10 taken in good faith and there is no basis upon which to issue a certificate of  
11 appealability. *See* 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b). A certificate of  
12 appealability is therefore **DENIED**.

13       **DATED** this 21st day of September 2020.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive, flowing style.

19       Stanley A. Bastian  
20 Chief United States District Judge